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*Attorneys for Defendant Federal Cartridge Company*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, NORTHERN DIVISION

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JACOB SEAN BARBEN,

Plaintiff,

v.

BERETTA USA CORP., a Delaware Corporation; SPORTSMAN'S WAREHOUSE, INC., a Utah Corporation; and FEDERAL CARTRIDGE COMPANY, a Minnesota Corporation,

Defendants.

**DEFENDANT FEDERAL CARTRIDGE COMPANY'S DISCLOSURE OF EXPERT WITNESSES**

Case No. 1:16-cv-00094-DN

District Judge David Nuffer

COMES NOW Defendant Federal Cartridge Company (“Federal”), through its respective counsel, and discloses its expert witnesses as follows.

Federal preliminarily notes that the parties’ stipulation for entry of the amended scheduling order (Doc. No. 22) (and the prior stipulation) provides that “[a] party shall disclose the identity of each testifying expert and the subject of each expert’s testimony at least 60 days before the deadline for expert reports from that party. This disclosure shall be made even if the

testifying expert is an employee from whom a report is not required" (footnote i). Plaintiff did not file a disclosure containing the identity of his testifying experts and the subject of each expert's testimony 60 days prior to Plaintiff's expert report deadline (today). Therefore Federal's disclosure is based on the limited information available to Federal as of the present date. Federal reserves the right to supplement this disclosure after it receives Plaintiff's expert witness disclosure.

Subject to the foregoing, and pursuant to the stipulation of the parties, Federal hereby identifies the following expert witnesses:

**I. Will call**

1. Shawn A. Sapp, Ph.D.  
AEI Corporation  
8197 W. Brandon Dr.  
Littleton, CO 80125

Shawn A. Sapp, Ph.D. and the firm AEI Corporation will likely testify on the following subjects: (1) the causation of the accident; (2) a response to the anticipated opinion of plaintiff's expert(s) that Federal's product was defective; and (3) a response to any other opinions of plaintiff's expert(s) bearing on the causation issues in this case.

**II. May call**

1. Steve Rodgers, Product Safety Manager for Vista Outdoor Inc., parent company to Federal Cartridge Company; c/o Federal's counsel.

Mr. Rodgers may testify on the following subjects: (1) the causation of the accident; (2) a response to the anticipated opinion of plaintiff's expert(s) that Federal's product was defective;

and (3) a response to any other opinions of plaintiff's expert(s) bearing on the causation issues in this case.

2. Any health care provider who treated plaintiff for any injuries he claims are related to the subject accident.

3. Any expert designated by the plaintiff, to elicit such witnesses' testimony at trial and/or to read from their depositions concerning subjects which may be admissible under Rules 702, 703 and/or 705 of the Federal Rules of Civil Procedure.

4. Any experts necessary to rebut, respond to, or impeach the testimony of the expert witnesses and evidence presented by plaintiff.

Federal reserves its right to supplement this expert witness disclosure consistent with any stipulation of the parties and/or the Court and/or any applicable rule, or otherwise as indicated above.

Any reports to be submitted by Federal in approximately 60 days will contain the additional information regarding Federal's experts (as outlined in Rule 26(a)(2)(B)(i)-(vi)) to the extent required.

DATED this 10th day of March, 2017.

CHRISTENSEN & JENSEN, P.C.

/s/ Tyler V. Snow

Scott T. Evans

Tyler V. Snow

*Attorneys for Defendant Federal Cartridge  
Company*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 10th day of March, 2017, I electronically filed the foregoing **DEFENDANT FEDERAL CARTRIDGE COMPANY'S DISCLOSURE OF EXPERT WITNESSES** with the Clerk of the Court using the efilng system, which sent notification of such filing to the following:

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/s/ Bengta M. Williams \_\_\_\_\_